

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

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JUN 29 1998

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of

Amendment of the Commission's Rules to
Allocate for Public Safety Use a Portion of
The 138-144 MHz Band Being Reallocated
By the Federal Government Pursuant to the
Balanced Budget Act of 1997

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RM-9274
WT Docket 96-86

To: The Commission

**REPLY COMMENTS
OF THE
INTERNATIONAL MUNICIPAL SIGNAL ASSOCIATION
AND THE
INTERNATIONAL ASSOCIATION OF FIRE CHIEFS, INC.**

The International Municipal Signal Association ("IMSA") and the International Association of Fire Chiefs, Inc. ("IAFC"), by their attorneys and pursuant to Section 1.405(b) of the Rules and Regulations of the Federal Communications Commission ("Commission"), respectfully submit these Reply Comments regarding Comments filed by other participants in response to the Commission's May 13, 1998 Public Notice (Report No. 2276) with respect to the above-referenced matter. As further explained below, IMSA and IAFC strongly support the Petition for Rule Making of the National Public Safety Telecommunications Council ("NPSTC") for a public safety allocation from the 138-144 MHz band.

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I. INTRODUCTION

IMSA is a non-profit organization dedicated to the development and use of electrical signaling and communications systems in the furtherance of public safety. IMSA members include representatives of federal, state, county, city, township and borough governmental bodies, and representatives of governmental bodies from foreign nations. Organized in 1896, IMSA is the oldest organization in the world dedicated to the activities pertaining to electrical engineering, including the Public Safety use of radio technology.

IAFC is a voluntary, professional membership society. Its membership, comprised of approximately 10,000 senior Fire Service officials, is dedicated to the protection of life and property throughout the United States and abroad. IAFC is the major national professional association representing the interests of senior management in the Fire Service. The Fire Service is the largest provider of emergency response medical service in the United States.

IMSA and IAFC are recognized as the frequency coordinating committee for the Fire Radio Service and the Emergency Medical Radio Service ("EMRS") and, in conjunction with the Personal Communications Industry Association ("PCIA"), constitute the recognized coordinating committee for the Special Emergency Radio Service ("SERS"). Additionally, members of IMSA and IAFC participated in all Subcommittees of the Public Safety Wireless Advisory Committee ("PSWAC"), the predecessor organization to NPSTC, and IMSA/IAFC are charter members of NPSTC.

II. REPLY COMMENTS

The Comments filed in this proceeding reflect unanimous support for NPSTC's Petition for Rule Making for a 3 MHz public safety spectrum allocation from the band 138-144 MHz. As many commenters correctly note, such an allocation would satisfy the need identified by the Public Safety Wireless Advisory Committee ("PSWAC") in September 1996 for 2.5 MHz of interoperability spectrum from the bands at 138-512 MHz and would alleviate spectrum congestion in the nearby 150-170 MHz band, where the majority of public safety systems currently operate.¹ IMSA/IAFC also agree with commenting parties that the new public safety allocation from TV channels 60-69 (the 746-806 MHz band) will be beneficial to the public safety community, but cannot meet all public safety communications needs, particularly in the near term.²

Like public safety systems in general, the overwhelming majority of fire and emergency medical systems presently operate in the VHF bands at 150-170 MHz.³ Moreover, many of these systems are operated in rural communities and/or by volunteer fire departments with limited resources. It would be unrealistic and inappropriate to expect these public safety entities to

¹ See, e.g., Comments of: The Association of Public-Safety Communications Officials-International, Inc. ("APCO"); the County of Los Angeles; and the State of California.

² See, e.g., Comments of: APCO; the County of Los Angeles; the Forestry-Conservation Communications Association; and the California Highway Patrol.

³ For instance, NPSTC states in its Petition that over 65% of fire radio service assignments are from this band. (Petition at Section III).

abandon their existing systems and incur costly investments in new 800 MHz systems unless compelled to do so. A spectrum allocation from the 138-144 MHz band, by contrast, would offer immediately feasible opportunities for improved interoperability and the expansion of existing systems used to meet the important day-to-day needs of fire service and emergency medical licensees.

III. CONCLUSION

PSWAC's Final Report was the culmination of extensive research, analysis and input by all facets of the public safety community. If the Commission is truly committed to addressing public safety communications requirements through the year 2010, it should heed PSWAC's advice, including its call for a public safety allocation of 2.5 MHz from the bands between 138 MHz and 512 MHz to be used for interoperability. For the reasons set forth in NPSTC's Petition and the Comments in this proceeding, the 138-144 MHz band is ideally suited to these purposes, as well as to general use by public safety entities. Particularly in light of the lack of any opposition to NPSTC's Petition, the Commission should do whatever is necessary --


potentially including a request to Congress that it amend the Balanced Budget Act of 1997 -- to secure a portion of this spectrum for public safety use.

WHEREFORE, THE PREMISES CONSIDERED, the International Municipal Signal Association and the International Association of Fire Chiefs, Inc. respectfully urge the Federal Communications Commission to act in a manner fully consistent with the views expressed herein.

Respectfully submitted,

**INTERNATIONAL MUNICIPAL SIGNAL
ASSOCIATION**

**INTERNATIONAL ASSOCIATION OF
FIRE CHIEFS, INC.**

By: 

Martin W. Bercovici

Nicole B. Donath

KELLER AND HECKMAN LLP

1001 G Street, NW

Suite 500 West

Washington, DC 20001

(202) 434-4144

Their Attorneys

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